

W.D.N.Y.
20-cv-689
Vilardo, J.

MANDATE

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 6th day of October, two thousand twenty.

Present:

Barrington D. Parker,
Denny Chin,
Circuit Judges,
Jane A. Restani,*
Judge.

Nate McMurray, a Candidate for Congress and as an Enrolled Democratic Party Voter in Erie County, et al.,

Plaintiffs-Appellants,

v.

20-1818

Ralph M. Mohr, individually and as Commissioner of the Erie County Board of Elections, et al.,

Defendants-Appellees.

Appellants move to expedite the appeal and to file fewer copies of briefs and the joint appendix. Appellees move to dismiss the appeal. Upon due consideration, it is hereby ORDERED that Appellees' motion is GRANTED and the appeal is DISMISSED. This Court has determined that it lacks jurisdiction over this appeal because it is moot. *See Independence Party of Richmond Cty. v. Graham*, 413 F.3d 252, 256 (2d Cir. 2005) ("[A] decision by our court affirming or reversing the district court's decision would not have any effect on the rights or obligations of the parties."). It is further ORDERED that Appellants' motions are DENIED as moot.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe



FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

Catherine O'Hagan Wolfe



* Judge Jane A. Restani, of the United States Court of International Trade, sitting by designation.

MANDATE ISSUED ON 11/06/2020